

Handout 2

Prison Legal News Article

Louisiana Sheriff Cages Suicidal Prisoners in Space Smaller than Required for Dogs (June 2011)

“These people need to be locked up,” said Louisiana’s St. Tammany Parish Sheriff Jack Strain, Jr., referring to prisoners at his jail. “They performed like animals in our society and they need to be caged like animals.” And when it comes to suicidal prisoners, Strain is doing exactly that.

When St. Tammany Parish jail officials determine prisoners are suicidal, they place them in “squirrel cages” after stripping them half-naked. The metal cages, which are 3’ x 3’, are so small that prisoners are forced to curl up on the floor to sleep. They are not provided with a bed, blanket, shoes or a toilet. Prisoners are also placed in the cages during the booking process into the jail.

Requests to use the restroom are frequently ignored by guards, forcing some prisoners to urinate in discarded containers. Most humiliating is the fact that the cages are in the main part of the jail, allowing other prisoners to gawk at those who are so confined. Prisoners have reported being left in the cages for “days, weeks, and even over a month.

“We appreciate that mentally ill prisoners pose a challenge for the jail, but Sheriff Strain has a legal and moral obligation to care for sick people in a humane way,” said Katie Schwartzmann, legal director for the ACLU of Louisiana. “Caging them for prolonged periods of time is an unacceptable solution, both from a legal rights perspective and a human rights perspective.”

In fact, Sheriff Strain exposes suicidal prisoners to conditions that even dogs are not expected to endure. According to St. Tammany Parish Code 4-121.10, dogs must be kept in cages at least 6’ wide x 6’ deep, with “sufficient space ... to lie down.”

“This should really go without saying, but in America we should not treat any person worse than animals,” observed ACLU of Louisiana Prison Litigation Fellow Berry Gerharz.

In addition to being placed in the squirrel cages, suicidal prisoners are forced to wear orange short shorts (“Daisy Duke” style); some of the shorts have “Hot Stuff” written on the rear end. This treatment increases the likelihood that prisoners will commit suicide, as they are less likely to inform guards they are suicidal due to fear they will be placed in the humiliating, degrading cages. Those who have been confined in the squirrel cages report “acute physical and psychological after-effects, including clinical depression, nightmares and crying fits after they were released from jail,” the ACLU noted.

“This is what can happen when you have law enforcement treating the mentally ill. If the Constitution’s Eighth Amendment protection against cruel and unusual punishment means anything, it means people shouldn’t be treated like this,” said Majorie Esman, executive director of the ACLU of Louisiana. “Jails across this country typically have housing for suicidal prisoners

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and don't resort to barbarity. The squirrel cages belong in the history books."

On July 8, 2010, the ACLU of Louisiana sent a letter to Sheriff Strain and Parish President Kevin Davis condemning the practice of using small cages to house suicidal prisoners, stating, "All we ask is that people be housed more humanely than dogs."

The parish agreed to change its policies and house suicidal prisoners in a holding cell with access to bathrooms, beds and water, where they will be monitored by jail staff. "The cages will be used only as a last resort in emergency situations, only on order of a doctor when no alternative is available, and for no more than 10 hours at a time," said Esman, who called the policy change for suicidal prisoners a "more humane treatment." The jail will also create a new position for a "jail inspector" to monitor conditions at the facility.

"No one should be held in the conditions that existed in St. Tammany Parish Jail. It's unfortunate that it took public exposure of these serious problems in order to have them corrected, but we're relieved that conditions should improve for the most vulnerable people in the sheriff's custody," Esman stated.

However, Sheriff Strain said that "[s]hould the need arise, the medical staff at the jail will continue to have available to them the use of booking cages for severely suicidal inmates." Not that the cages are particularly effective at preventing suicide attempts. On September 1, 2010, a 26-year-old jail prisoner, who was not identified, attempted to kill himself while being held in one of the cages during the booking process. The prisoner was taken to a hospital, then returned to the jail and placed on suicide watch.